

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

QUINTON DRUMMER, et al.,

Plaintiff(s),

v.

ALPHA TEAM CONSTRUCTION  
CONRPORATION, et al.,

Defendant(s).

Case No.: 2:18-cv-01251-RFB-NJK

**Order**

(Docket No. 44)

Pending before the Court is Plaintiffs' motion to extend various discovery deadlines. Docket No. 44. The motion requests an extension of various discovery dates by 120 days, including discovery deadlines which have expired. *Id.* at 3.

The Court has broad discretionary power to control discovery. *See, e.g., Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). A motion to extend deadlines in the Court's scheduling order must be supported by a showing of "good cause" for the extension. Local Rule 26-4; *see also Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608-609 (9th Cir.1992). Good cause to extend a discovery deadline exists "if it cannot reasonably be met despite the diligence of the party seeking the extension." *Johnson*, 975 F.2d at 609. The good cause inquiry focuses primarily on the movant's diligence. *See Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294-95 (9th Cir.2000). The Local Rules make clear that requests to extend discovery deadlines "must be received by the Court no later than 21 days before the expiration of the subject deadline." Local

1 Rule 26-4. Requests made after the expiration of the subject deadline “will not be granted unless  
2 the movant demonstrates that the failure to act was the result of excusable neglect.” *Id.*

3 Here, the motion fails to address, let alone demonstrate, excusable neglect for extending  
4 the discovery deadlines which have expired. Docket No. 44. The motion asks to extend the  
5 scheduling order deadlines to permit Defendants to find a new attorney and to allocate enough  
6 time for that attorney to become familiar with the case. *Id.* at 3. Accordingly, for good cause  
7 shown, the Court **GRANTS** the motion to extend the unexpired deadlines and **DENIES** the motion  
8 to extend the expired deadlines. The Court **SETS** the deadlines as follows:

- 9 • Discovery cutoff: July 8, 2019
- 10 • Dispositive motions: August 6, 2019
- 11 • Joint proposed pretrial order: September 5, 2019, or 30 days after resolution of  
12 dispositive motions

13 IT IS SO ORDERED.

14 Dated: February 27, 2019

15   
16 NANCY J. KORPE  
17 United States Magistrate Judge  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28